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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

SWARTZ, STEPHEN S

ART UNIT	PAPER NUMBER
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3623

NOTIFICATION DATE	DELIVERY MODE
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03/17/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mail@davidjudson.com

Office Action Summary	Application No. 10/582,824	Applicant(s) DROMGOLD, DIANE	
	Examiner STEPHEN SWARTZ	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-16, 18-20, 23, 24 and 33-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-16, 18-20, 23, 24 and 33-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the application filed 31 July 2007, which claims priority to a national stage PCT filed 21 January 2005 of an Australian Patent filed 21 January 2004. Claims 14-16, 18-20, 23, 24, and 33-36 are pending and have been examined, claims 33-36 are newly presented. Claims 1-13, 17, 21, 22, and 25-32 have been canceled.

Election/Restrictions

2. Applicant's election with traverse of claims 23-24 in the reply filed on 31 July 2010 is acknowledged. Additionally based on the amendment and explanation presented in the response to the election to the restriction claims 14-16, 18-20, 23, and 24 (Group IV) will be examined together with (Group VI).

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 14-16, 18-20, 23, 24, and 33-36 rejected under 35 U.S.C. 102(b) as being anticipated by Miller (U.S. Patent 6,101,481).

Referring to Claim 14, Miller teaches an apparatus for facilitating the computer-based management of a project, having a series of tasks, comprising:

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a processor (see; col. 2, lines (15-19) and col. 10, line (64) - col. 11, line (8) of Miller teaches a computer that is used to process project management details).

a data store for storing a project management dataset, the project management dataset including task data, human resource data, timing data and dependency data (see; col. 1, lines (62) – col. 2, line (60) of Miller teaches a computer that stores and utilizes data with regards to project management, the associated tasks, people resources, timing, and the dependencies).

a task-based project management application executed by the processor and which is arranged to access the data store, and to allow the graphical display and manipulation of the dataset in a task-centric manner, in which said application graphically displays the associated data for each task (see; col. 6, lines (26-32), col. 11, lines (44-55), col. 12, lines (11-13), and (35-42) of Miller teaches a tasked based project management application that can graphically display the task assignments and allow manipulation of the information).

a resource-based project management application executed by the processor and which is arranged to access the data store, and which groups for each human resource a corresponding task, timing and dependency data in a human resource-centric manner, so each human resource is linked with associated task and timing data in a one-to-many relationship, (see; col. 6, lines (26-32), col. 11, lines (44-55), col. 12, lines (11-13), and (35-42) of Miller teaches not only a tasked based project management application that can graphically display the task assignments and allow manipulation of the information, but also the ability to switch to a people-centric view that shows the link between the person and the tasks that need to be performed along with timing).

a graphical representation component for graphically representing said executed by the processor to graphically represent the human resource-centric data in a single display view such that each human resource is visually linked with tasks, timing and dependency

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data in a one- to-many relationship (see; col. 6, lines (26-32), col. 11, lines (44-67), col. 12, lines (11-13) and lines (35-42) of).

Referring to Claim 15, Miller teaches an apparatus for facilitating the computer based processor to graphically represent the human. Claim 15 recites the same or similar limitations as those addressed above in claim 14, Claim 15 is therefore rejected for the same reasons as set forth above in claim 14, except for the following noted exceptions.

a graphical representation component executed by the processor to generate a graphical representation of either the first or second data stores (see; col. 6, lines (26-32) and col. 12, lines (43-51) of Miller teaches a graphical display of the project management that was pulled from multiple data sets).

a switching application for switching executed by the processor to switch between graphical representations of the task-centric or human resource-centric views (see; col. 6, lines (26-32) and col. 11, lines (44-67) of Miller teaches graphical representation of the project management function and the ability to view tasks and people with alternate viewing means (i.e. switch between representations).

Referring to Claim 16, Miller teaches an apparatus for facilitating the computer based management of a project having a series of tasks. Claim 16 recites the same or similar limitations as those addressed above in claim 14, Claim 16 is therefore rejected for the same reasons as set forth above in claim 14.

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Referring to Claim 18, Miller teaches an apparatus for facilitating the computer based management of multiple projects, each project having a series of tasks. Claim 18 recites the same or similar limitations as those addressed above in claim 14, Claim 18 is therefore rejected for the same reasons as set forth above in claim 14.

Referring to Claim 19, see discussion of claim 18 above, while Miller teaches the apparatus above, Miller further discloses an apparatus having the limitations of:

further including a display on which the single display view is rendered to facilitate management of the multiple projects (see; col. 4, lines (25-29), col. 9, lines (4-9), col. 12, lines (35-42), and col. 13, lines (29-38) of Miller teaches a project management program that can graphically display multiple projects in a single view).

Referring to Claim 20, see discussion of claim 14 above, while Miller teaches the apparatus above, Miller further discloses an apparatus having the limitations of:

further including a link inserter executed by the processor to enable dependency-based links to be inserted between dependent tasks or events associated with the human resources (see; col. 13, lines (29-38) of Miller teaches the ability of the project management program to allow a user to modify dependencies and tasks associated with the people).

Referring to Claim 23, Miller teaches a computer readable medium containing program code, the program code being operative to instruct a programmable processor to execute a human resource-based management application. Claim 23 recites the same or similar limitations as

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those addressed above in claim 14, Claim 23 is therefore rejected for the same reasons as set forth above in claim 14, except for the following noted exception.

the dependency data for at least one human resource pointing to at least one other human resource whose task, timing and dependent data for the project is also visually presented in the single display view (see; col. 13, lines (29-38) of Miller teaches the ability of the project management program to allow a user to modify dependencies and tasks associated with the people and then display it for viewing in a display).

Referring to Claim 24, Miller teaches a computer readable medium containing program code, the program code being operative to instruct a programmable processor to execute a human resource-based management application. Claim 24 recites the same or similar limitations as those addressed above in claim 14, Claim 24 is therefore rejected for the same reasons as set forth above in claim 14, except for the following noted exception.

the dependency data for at least one human resource pointing to at least one other human resource whose task, timing and dependent data for the project is also visually presented in the single display view (see; col. 13, lines (29-38) of Miller teaches the ability of the project management program to allow a user to modify dependencies and tasks associated with the people and then display it for viewing in a display).

Referring to Claim 33, see discussion of claim 14 above, while Miller teaches the computer readable medium above, Miller further discloses a computer readable medium having the limitations of:

wherein the timing data for at least one human resource visually incorporates at least a keyword associated with the task data (see; col. 5, lines (34-36) of Miller teaches the importance of the wording of tasks).

Referring to Claim 34, see discussion of claim 23 above, while Miller teaches the computer readable medium above, Miller further discloses a computer readable medium having the limitations of:

wherein the human resource-based project management application is operative to instruct the programmable processor to capture a modification to one of: task, timing and dependency data associated with a first human resource, and, in response, adjusting one of: task, timing and dependency data associated with a second human resource (see; Figure 12 of Miller teaches a flow chart that shows the process of modification to task dependency with regards to people and adjusting the resource).

Referring to Claim 35, see discussion of claim 34 above, while Miller teaches the computer readable medium above, Miller further discloses a computer readable medium having the limitations of:

wherein the human resource-based project management application is operative to instruct the programmable processor to update the single display view (see; col. 8, lines (18-33) of Miller teaches a project management program that allows for the update and viewing of resource data).

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Referring to Claim 36, see discussion of claim 23 above, while Miller teaches the computer readable medium above, Miller further discloses a computer readable medium having the limitations of:

wherein task- related dependency data is represented as a series of incoming and outgoing dependency links, each incoming link originating from tasks allocated to a human resource on which a particular task depends, and each outgoing link being directed to a task depending on the particular task (see; col. 13, lines (13-38) a project management program that allows for the linking of tasks to human resources these links created by dependencies between the task and resource).

Conclusion

4. The prior art made of record and not relied upon considered pertinent to Applicant's disclosure.

- a. Visser et al. (U.S. Patent Publication 2003/0153991 A1) discloses compliance management system.
- b. Flaxer et al. (U.S. Patent Publication 2004/0162741 A1) discloses a method and apparatus for product lifecycle management in a distributed environment enabled by dynamic business process composition and execution by rule inference.
- c. Battat et al. (U.S. Patent Publication 2007/0033279 A1) discloses a method and apparatus for intuitively administering networked computer systems.
- d. Battat et al. (U.S. Patent Publication 2003/0033402 A1) discloses a method and apparatus for intuitively administering networked computer systems.
- e. Knudson et al. (U.S. Patent 5,765,140) discloses a dynamic project management system.

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- f. Haq et al. (U.S. Patent 6,275,812 B1) discloses an intelligent system for dynamic resource management.
- g. Rassman et al. (U.S. Patent 4,937,743 discloses a method and system for scheduling, monitoring and dynamically managing resources.
- h. Fields et al. (U.S. Patent 5,111,391 discloses a system and method for making staff schedules as a function of available resources as well as employee skill level, availability and priority.
- i. Abbruzzese et al. (U.S. Patent 5,557,515) discloses a computerized system and method for work management.
- j. Matsuzaki et al. (U.S. Patent 5,767,848) discloses a development support system.
- k. Hambrick et al. (U.S. Patent 5,836,011) discloses an implementation of teams and roles within a people oriented work environment.
- l. Aamodt et al. (U.S. Patent Publication 2007/0150389 A1) discloses a method and system for displaying an image instead of data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEPHEN SWARTZ whose telephone number is (571) 270-7789. The examiner can normally be reached on Monday through Thursday 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SSS/

Patent Examiner, Art Unit 3623

/Jonathan G. Sterrett/

Primary Examiner, Art Unit 3623